

# STATE OF COLORADO

Roy Romer, Governor  
Patti Shwayder, Acting Executive Director

*Dedicated to protecting and improving the health and environment of the people of Colorado*

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Colorado Department  
of Public Health  
and Environment

April 14, 1995

Rico Development Corporation  
c/o David L. Sell  
McMichael, Benedict & Multz  
1580 Lincoln Street, Suite 900  
Denver, CO 80203

RE: Delinquent Discharge Monitoring Report(s)  
Permit No.: CO-0029793; Dolores County

CERTIFIED MAIL NO: P 319 472 435

Dear Mr. Sell:

In our letters dated December 6, 1994, and March 6, 1995, we reminded you of your responsibility to submit Discharge monitoring Reports (DMRs) as required by your CDPS permit. To date we have received no response as requested.

This letter is to advise you that failure to submit a DMR within the required timeframe constitutes a violation of the above-referenced permit. The Division's policy regarding delinquent DMRs has changed and we will no longer allow this practice to continue. Unless we receive the delinquent report(s) for outfall(s) 002X for the period of July 1 through September 30, 1994, and October 1 through December 31, 1994, by April 28, 1995, it is the intent of this Division to initiate enforcement action. In the event a formal enforcement action is necessary, then substantial fines will be imposed. We hope that you will take the time to complete and submit the identified report(s) so that further action will not be necessary. If the required samples were not collected, or the analyses weren't performed, please submit a written explanation by the date noted above.

Thank you for your cooperation in this matter. If you have any questions, please contact Darlene Casey at (303) 692-3599.

Sincerely,

Patricia A. Nelson, P.E.

Industrial Unit Chief

Permits and Enforcement Section

WATER QUALITY CONTROL DIVISION

cc: Kathleen Sullivan, Industrial Enforcement Engineer, WQCD  
Local Health Department  
Jim Horn, D.E., Field Support Section, WQCD  
MS-3 File

PAN/dc